

Remarks

This Amendment is in response to the Examiner's Answer dated **January 29, 2007**. In the Examiner's Answer, claims 1-8, 12-13, 17-18, 20-21, 24-25 and 33-38 were rejected under 35 USC 103(a) as being unpatentable over Danforth (4,822,345) in view of Samuelson (6,464,683). In the Final Office Action, claims 9-11, 15-16 and 22-23 were objected to as being dependent upon a rejected base claim.

For reasons presented herein, Applicant has traversed the rejections and asserts that the claims are in condition for allowance.

35 USC 103(a)

In the Examiner's Answer, claims 1-8, 12-13, 17-18, 20-21, 24-25 and 33-38 were rejected under 35 USC 103(a) as being unpatentable over Danforth (4,822,345) in view of Samuelson (6,464,683).

Applicant believes that claim 1 is patentable, however, for purpose of expediting prosecution, claim 1 has been amended without prejudice. Applicant reserves the right to prosecute these claims in a continuation or divisional application. Applicant has amended claim 1 to recite "at least one fluid transmission lumen defined only by the lumen wall." In a phone call on March 5, 2007 to Examiner, the Examiner indicated that a transmission lumen defined only by the lumen wall would render claim 1 patentable.

Therefore, Applicant requests withdrawal of the rejection and asserts that claims 1-8, 12-13, 17-18, 20-21, 24-25 and 33-38 are in condition for allowance.

Allowed Claims

In the Final Office Action claims 9-11, 15-16 and 22-23 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant acknowledges the finding of allowable subject matter in the instant claims. As discussed above, claim 1 as amended is patentable, so claims 9-11, 15-16 and 22-23, dependent therefrom, are patentable.

Conclusion

Based on at least the above, Applicant respectfully submits that this application is in condition for allowance. Favorable consideration and prompt allowance of claims 1-13, 15-18, 20-25 and 33-38 is requested.

Should the Examiner believe that anything further would be desirable in order to place this application in better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the telephone number listed below.

Respectfully submitted,

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